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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JASON KINZER, an individual,

Plaintiff,

v.

ALLEGIANT AIR, LLC, a Nevada limited  
liability company; and ALLEGIANT  
TRAVEL CO. a Nevada corporation,

Defendants.

Case No. 2:15-cv-2306-JAD-PAL

**JOINT STATUS REPORT  
REGARDING REMOVED ACTION**

Pursuant to the Court's Order (Dkt. # 3) dated December 7, 2015, Defendants Allegiant Air, LLC and Allegiant Travel Co. ("Defendants") and Plaintiff Jason Kinzer ("Plaintiff") submit the following Joint Status Report Regarding Removed Action.<sup>1</sup>

**1. The date(s) on which you were served with a copy of the Complaint in the removed action.**

Defendants were first served with a copy of the Complaint in this matter on November 18, 2015.

**2. The date(s) on which you were served with a copy of the summons.**

Defendants were first served with a copy of the Summons in this matter on November 18, 2015.

<sup>1</sup> Defendant Allegiant Travel Co. avers that it is not a proper party to this action. *See* Dkt. #9.

**3. The date on which Defendants filed their Petition for Removal**

December 7, 2015.

**4. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's evidence of the amount in controversy.**

This action was not removed on the basis of diversity, but Defendants noted that the Court would have had original jurisdiction based on diversity if the action had been filed in federal court, as Plaintiff is a citizen of Florida, Defendants are citizens of Nevada, and Plaintiff made a pre-litigation demand for \$3,000,000.00.

**5. If your notice of removal was filed more than thirty (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.**

N/A

**6. In actions removed on the basis of this court's jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.**

N/A

**7. The name(s) of any defendant(s) known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons they did not.**

N/A

**8. Other matters**

**a.** On December 11, 2015, Plaintiff filed a Motion to Remand. Dkt. #6.

Defendants filed their Response in Opposition to the Motion for Remand on December 30, 2015. Dkt. # 16.

**b.** On December 16, 2015, Defendants filed a Motion to Dismiss. Dkt. #9.

Plaintiff's Response on Opposition to the Motion to Dismiss will be filed on January 6, 2016. *See* Dkt. #14.

c. On December 18, 2015, the Court ordered that an Early Neutral Evaluation Session would be held on February 25, 2016, before the Honorable Magistrate Judge George Foley Jr. Dkt. #11.

d. On December 22, 2015, Defendants filed their Statement of Removal. Dkt. #13.

Dated: January 6, 2016.

**JACKSON LEWIS P.C.**

**THE URBAN LAW FIRM**

/s/ Steven C. Anderson

/s/ Sean W. McDonald

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*\*Pro hac vice application pending*  
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